



UNITED STATES PATENT AND TRADEMARK OFFICE

A

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 09/769,611 | 01/24/2001 | Barry Fruchtman | SJ0920000171US1 | 5230 |
| 33224 | 7590 | 12/13/2005 | EXAMINER | |
| INTERNATIONAL BUSINESS MACHINES CORPORATION 5600 COTTLE ROAD, DEPT. L2PA/010 INTELLECTUAL PROPERTY LAW SAN JOSE, CA 95193-0001 | | | OSMAN, RAMY M | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2157 | |

DATE MAILED: 12/13/2005

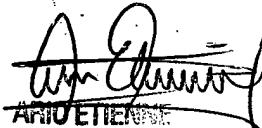
Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|---|--------------------------------------|---|--|
| Response to Rule 312 Communication | Application No. 09/769,611 | Applicant(s) FRUCHTMAN ET AL. | |
| | Examiner Ramy M. Osman | Art Unit 2157 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

1. ☒ The amendment filed on 20 July 2005 under 37 CFR 1.312 has been considered, and has been:
- a) ☐ entered.
 - b) ☐ entered as directed to matters of form not affecting the scope of the invention.
 - c) ☐ disapproved because the amendment was filed after the payment of the issue fee.
Any amendment filed after the date the issue fee is paid must be accompanied by a petition under 37 CFR 1.313(c)(1) and the required fee to withdraw the application from issue.
 - d) ☐ disapproved. See explanation below.
 - e) ☒ entered in part. See explanation below.

1. The amendment filed on 7/20/2005 under 37 CFR 1.312 has been entered-in-part.
2. Amendments to claims 14 and 15 have been entered. The amendments correct previously undetected informalities.
3. Amendments to claims 1,2,4,5,7-11,13,17-24,26-28,30-37 and 39 have not been entered.
4. Amendments to claims 27 and 28 have not been entered. The amendment failed to include limitations in claims 27 and 28 that were previously added via an examiners amendment mailed on 6/23/2005. The examiners amendment contained limitations necessary to overcome 101 non-statutory subject matter within the claims. Applicant has omitted these limitations in the after-final amendment therefore making claims 27 and 28 unpatentable. The amendment will not be entered.


 ARIETTE
 SUPERVISORY PATENT EXAMINER
 TECHNOLOGY CENTER 100